



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Fax-On-Demand 202 / 418-2830
TTY 202 / 418-2555
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

DA 02-167
Released: January 18, 2002

COMMON CARRIER BUREAU INVITES INTERESTED PARTIES TO PARTICIPATE IN A FORUM TO DISCUSS TOLL-FREE NUMBER ADMINISTRATION

CC Docket No. 95-155
NSD File No. L-02-00

Comments Due: January 31, 2002

In a public notice released November 15, 2001, the Common Carrier Bureau (Bureau) further extended the deadline for compliance with the *DSMI Letter*¹ until the Bureau addressed the issues outstanding in the *June 2001 Public Notice*.² In particular, the Bureau agreed that Database Service Management, Inc. (DSMI) and the industry needed additional direction from the Commission before proceeding to implement the changes contemplated in the *DSMI Letter*.

In the November 15, 2001 public notice, the Bureau indicated its willingness to continue to discuss whether implementation of the directives in the *DSMI Letter* should occur. In a

¹ Letter from L. Charles Keller, Chief, Network Services Division, to Mr. Michael Wade, President, Database Service Management, Inc., DA 00-2754 (rel. Dec. 7, 2000) (*DSMI Letter*). In that letter, the Bureau directed the SMS/800 database administrator, Database Service Management, Inc. (DSMI), by February 3, 2001, to modify the Disconnect Status and Suspend Status functions in the SMS/800 database, consistent with the Federal Communications Commission's (Commission) toll-free number regulations and policies. Pursuant to requests from industry representatives, on February 2, 2001, the Bureau directed DSMI to postpone the mandated changes to the Disconnect Status and Suspend Status functions until August 6, 2001. See Letter from Staci Pies, Deputy Chief, Network Services Division, to Mr. Michael Wade, President, Database Service Management, Inc., DA 01-292 (rel. Feb. 2, 2001). On July 13, 2001, the Bureau released a public notice further extending the compliance deadline until the Bureau had resolved the issues raised in a public notice released June 22, 2001 or until December 8, 2001, whichever came first. See *Common Carrier Bureau Extends Deadline for Compliance With Directive to Database Service Management, Inc. Concerning the Toll-Free Database Disconnect and Suspend Functions*, DA 00-2754, Public Notice, DA 01-1677 (rel. July 13, 2001).

² That public notice sought comment on, among other things: (1) a petition filed by AT&T Corporation seeking clarification of the Commission's toll-free regulations; and (2) alternative proposals for preventing the transfer of toll-free numbers between subscribers. See *Common Carrier Bureau Seeks Comment on AT&T Corporation's Request for Declaratory Ruling and Clarification of Changes to the Toll-Free Number Administration System*, Public Notice, DA 01-1463 (rel. June 22, 2001) (*June 2001 Public Notice*).

meeting with several industry members, the Bureau also committed to continuing discussions, and suggested that an industry forum to discuss the directives and other toll-free issues would be appropriate. Further, the Bureau believes that, although the current toll-free number administration system³ is an efficient means of providing access to toll-free numbers, the system has drawbacks, many of which are identified below.

A forum discussing toll-free number administration will enable the Bureau to focus on the problems identified with the current toll-free system and how to resolve them. The following issues are proposed for discussion at the forum:

- The current toll-free number administration system:
 - Warehousing of unactivated numbers by Responsible Organizations (RespOrgs), including disconnected numbers that should be returned to the database.
 - Transfer of toll-free numbers from one subscriber to another after the numbers are disconnected, rather than returning such numbers to the database.
 - Unauthorized disconnection of toll-free numbers, often followed by immediate reconnection to a different subscriber.
 - Brokering of toll-free numbers, which may result in direct transfers of toll-free numbers by RespOrgs.
 - Lack of adequate data collection procedures to track RespOrg activity.
- The *DSMI Letter*:
 - Whether to implement the directives in the *DSMI Letter*.⁴
 - Whether to implement, in the alternative, solutions proposed by industry members.
 - Whether to modify the Commission's toll-free administration rules to allow for transfer of toll-free numbers between subscribers in certain instances.
- Whether the toll-free number administration system should be restructured. In the *Fifth Report and Order*, the Bureau indicated that it would determine whether restructuring the ownership and operation of the current system would be in the public

³ The current toll-free number system, developed in 1993, is administered by the Bell Operating Companies, which act collectively as the Toll-Free Numbering Administrator (Administrator). DSMI, a subsidiary of Telcordia, serves as the Administrator's Business Manager by, among other things, maintaining general oversight of the SMS/800 database and certifying entities interested in becoming RespOrgs. RespOrgs, carrier and non-common carrier entities, access the SMS/800 database directly to obtain toll-free numbers for subscribers.

⁴ The directives require DSMI to make changes to the Disconnect Status and Suspend Status functions in the SMS/800 database to be consistent with current Commission toll-free regulations. Specifically, in the *DSMI Letter*, the Bureau directed DSMI to ensure that (1) any number in Disconnect Status could only be changed to Spare Status; (2) any number in Suspend Status could only be changed to Working Status for the same subscriber; (3) an over-ride capability was provided for the SMS/800 Help Desk to correct errors or assist a RespOrg under certain circumstances; and (4) DSMI sent all RespOrgs a copy of the *DSMI Letter* and notified all RespOrgs once the measures were in place.

interest.⁵

- Whether a fee-based system of toll-free administration should be established.

We invite interested parties to file comment on the proposed agenda. We also invite parties interested in participating in the forum to contact Jennifer Gorny (202) 418-2320 or jgorny@fcc.gov by **January 31, 2002**. Forum participants may be requested to prepare written materials for discussion, and the final agenda and schedule for the forum will be released in the near future. All filings must reference **NSD File No. L-02-00 and CC Docket No. 95-155**. If filing paper copies, send an original and four copies to the Commission Secretary, Magalie Roman Salas, Portals II, 445 12th Street, SW, Suite TW-A325, Washington, D.C. 20554 and two copies to Carmell Weathers, Network Services Division, Portals II, 445 12th Street, S.W., Room 6-B153, Washington, D.C. 20554.

Comments may be filed using the ECFS. Comments filed through the ECFS can be sent as an electronic file via the Internet to [<http://www.fcc.gov/e-file/ecfs.html>](http://www.fcc.gov/e-file/ecfs.html). If using this method, please reference the docket number, **95-155** in the Proceeding block. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, postal service mailing address, and the applicable docket or rulemaking number(s). Parties may also submit electronic comments by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, including "get form <your e-mail address>" in the body of the message. A sample form and directions will be sent in reply. After filing your comments electronically, please send an e-mail to Carmell Weathers, cweather@fcc.gov, indicating that comments have been filed.

Interested parties who wish to file comments via messenger-delivery or hand-delivery are also notified that effective December 18, 2001, the Commission will only receive such deliveries weekdays from 8:00 a.m. to 7:00 p.m., via its contractor, Vistrionix, Inc., located at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. **The Commission no longer accepts these filings at 9300 East Hampton Drive, Capitol Heights, MD 20743.** Please note that all hand deliveries must be bound with rubber bands or fasteners, and envelopes must be disposed of before entering the building. In addition, this is a reminder that as of October 18, 2001, the Commission no longer accepts hand-delivered or messenger-delivered filings at its headquarters at 445 12th Street, SW, Washington, DC 20554. Other messenger-delivered documents, including documents sent by overnight mail (other than United States Postal Service

⁵ *Toll Free Service Access Codes, Database Services Management, Inc.'s Petition for Declaratory Ruling, and Beehive Telephone Company's Petition for Declaratory Ruling*, Fifth Report and Order in CC Docket No. 95-155, Order in NSD File No. L-99-87, Order in NSD File No. L-99-88, 15 FCC Rcd 11939, 11950 (rel. July 5, 2000) (*Fifth Report and Order*). In that Order, the Bureau directed the North American Numbering Council (NANC) to provide recommendations to the Commission concerning the best way to administer toll-free numbers. *See id.* The NANC, however, was unable to reach a consensus on any proposals and, therefore, did not submit recommendations to the Commission. *See* Letter from John R. Hoffman, NANC Chair to Dorothy T. Attwood, FCC, dated March 21, 2001.

(USPS) Express and Priority Mail), must be addressed to 9300 East Hampton Drive, Capitol Heights, MD 20743. This location is open weekdays from 8:00 a.m. to 5:30 p.m. USPS First-Class, Express, and Priority Mail should be addressed to the Commission's headquarters at 445 12th Street, SW, Washington, DC 20554. The following chart summarizes this information:

TYPE OF DELIVERY	PROPER DELIVERY ADDRESS
Hand-delivered or messenger-delivered paper filings	236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002 (Weekdays - 8:00 a.m. to 7:00 p.m.)
Other messenger-delivered documents, including documents sent by overnight mail (this type excludes USPS Express and Priority Mail)	9300 East Hampton Drive, Capitol Heights, MD 20743 (Weekdays - 8:00 a.m. to 5:30 p.m.)
USPS First-Class, Express, and Priority Mail	445 12 th Street, SW Washington, DC 20554

This is a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules.⁶ As a "permit but disclose" proceeding, *ex parte* presentations will be governed by the procedures set forth in Section 1.1206 of the Commission's rules applicable to non-restricted proceedings.⁷

Parties making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required.⁸ Other rules pertaining to oral and written presentations are set forth in Section 1.1206(b) as well.

For further information, contact Jennifer Gorny of the Common Carrier Bureau, Network Services Division, at (202) 418-2320 or jgorny@fcc.gov. The TTY number is (202) 418-0484.

-FEDERAL COMMUNICATIONS COMMISSION-

⁶ See generally 47 C.F.R. §§ 1.1200-1.1216.

⁷ 47 C.F.R. § 1.1206.

⁸ 47 C.F.R. § 1.1206(b)(2).